

ORDER SHEET**WEST BENGAL ADMINISTRATIVE TRIBUNAL****Present-**

The Hon'ble Justice Soumitra Pal (Chairman)
& The Hon'ble Mr. Subesh Kumar Das (Administrative Member)

Case No –OA 121 OF 2017

RADHANATH MAJHI Vs **The State of West Bengal & Ors.**

Serial No. and Date of order. 1	Order of the Tribunal with signature 2	Office action with date and dated signature of parties when necessary 3
<p style="text-align: center;">3</p> <hr/> <p>28.09.2018</p>	<p>For the Applicant : Mr. S. Mitra Advocate</p> <p>For the State Respondents: Mrs. S. Agarwal Advocate</p> <p style="text-align: center;">Affidavit of service filed today be kept on record. As prayed for by Mrs. S. Mitra, learned advocate for the applicant, leave granted to add Secretary, Department of Agriculture, Government of West Bengal as party respondent by amending the cause title. Since Mrs. S. Agarwal, learned advocate appearing for the respondents accepts service of notice on behalf of the added respondents and as we find from the affidavit of service that a copy of the application has already been served on the said added respondent though the said respondent was not added formally at the point of time of service of notice, no further copy of the application need be served.</p> <p style="text-align: center;">In this application, the applicant, an Ex-Agricultural Extension Officer, who had superannuated on 30th November, 2013, has prayed for a direction upon the respondents, particularly on the Assistant Director of</p>	

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	<p>Agriculture (Administration), Sadar Sub-Division, Purulia, the respondent no.3 to release superannuation benefits along with interest. Submission is that as pursuant to the directions contained in the memo dated 7th April, 2014 the applicant has deposited pending sale proceeds (Farm) money of Rs. 10,906/- in proper government head on 8th September, 2014, appropriate order may be passed. Submission is though a representation dated 18th July, 2016 was sent to the respondent no.3 for grant of superannuation benefits it has not been considered. It is submitted that as at present the applicant is bed ridden and is unable to move, direction may be passed on the respondent no.3 to consider his representation appearing at page 17 of the application after granting an opportunity of hearing to his legal representative who may be allowed to represent him.</p> <p>Mrs. Agarwal submits that the respondent no.3 may be directed to take necessary steps in accordance with the law.</p> <p>Having heard the learned advocates for the parties and considering the facts and circumstances of the case, this original application is disposed of by directing the Assistant Director of Agriculture (Administration), Sadar Sub-Division, Purulia, the respondent no.3 to dispose of issue regarding grant of superannuation</p>	

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SCN.	<p>benefits to the applicant within ten weeks from the date of presentation of a copy of this order after giving an opportunity of hearing to his legal representative, after necessary enquiry and after verifying the records. The said respondent shall enquire whether the applicant has made proper application for grant of superannuation benefits in different heads in accordance with the law.</p> <p style="text-align: center;">So far the prayer for grant of interest is concerned, considering the facts we decline to grant the same at present and can only be considered after reasoned order for grant of superannuation benefits is passed.</p> <p>(S.K. Das) MEMBER (A)</p> <p style="text-align: right;">(Soumitra Pal) CHAIRMAN</p>	